

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -MAY 1, 2007- -7:30 P.M.

Mayor Johnson convened the Regular Meeting at 7:43 p.m.

ROLL CALL - Present: Councilmembers deHaan, Gilmore, Tam, and Mayor Johnson - 4.
Absent: Councilmember Matarrese - 1.

AGENDA CHANGES

(07-187) Mayor Johnson announced that [paragraph no. 07-189] would be added to the agenda for West Alameda Business Association (WABA).

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(07-188) Proclamation declaring the months of April through June 2007 as Historic Preservation Season.

Mayor Johnson read and presented the proclamation to Nancy Anderson, Historical Advisory Board Chair; stated the historic theater restoration is Alameda's largest historic preservation project; she took an extended tour of the historic theater on Friday; encouraged Councilmembers to take the tour.

Ms. Anderson stated THAT she would like to recognize the hard work of the Ad Hoc Committee; encouraged everyone to view the display on the second floor of City Hall; a "Leonardville" walking tour will take place this coming Saturday.

Mayor Johnson stated that theater restoration photos should be displayed at City Hall.

Councilmember deHaan inquired whether the theater renovation is being documented, to which Mayor Johnson responded in the affirmative.

(07-189) Councilmember Gilmore moved approval of adding an agenda item for WABA.

Vice Mayor Tam seconded the motion, which carried by unanimous voice vote - 4. Absent: Councilmember Matarrese - 1.

Kathy Moehring, WABA, announced that the West Alameda summer Farmer's Market starts next week; presented Council with a bag of produce; stated the kick off will be at 4:00 p.m.

CONSENT CALENDAR

Mayor Johnson announced that the Minutes [paragraph no. 07-190], the recommendation to authorize modification of stop controls at Clinton [paragraph no. 07-197], and the recommendation to authorize installation of stop controls at Versailles [paragraph no. 07-198], were removed from the Consent Calendar for discussion.

Councilmember Gilmore moved approval of the remainder of the Consent Calendar.

Vice Mayor Tam seconded the motion, which carried by unanimous voice vote - 4. [Absent: Councilmember Matarrese - 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(07-190) Minutes of the Regular City Council Meeting held on April 17, 2007.

Councilmember deHaan moved approval of the Minutes with the following correction on page 8: "Councilmember deHaan stated that the proposed ordinance would provide a ticketing process that would be enforceable."

Vice Mayor Tam seconded the motion, which carried by unanimous voice vote - 4. [Absent: Councilmember Matarrese - 1.]

(*07-191) Ratified bills in the amount of \$2,682,120.24.

(*07-192) Recommendation to authorize Call for Bids for Legal Advertising. Accepted.

(*07-193) Recommendation to accept Quarterly Investment Report. Accepted.

(*07-194) Recommendation to set hearing date to consider collection of delinquent business license fees via the property tax bills. Accepted.

(*07-195) Recommendation to award Consultant Agreement in the amount of \$144,252, including contingency, to David L. Gates and Associates, Inc. for the Park Street Streetscape - Phase II. Accepted.

(*07-196) Recommendation to adopt Plans and Specifications and authorize Call for Bids for Ballena Bay Bridge Seismic Retrofit, No. P.W. 05-00-09. Accepted.

(07-197) Recommendation to authorize modification of Two-Way Stop Controls at the Clinton Avenue at Union Street, and Clinton Avenue at Chestnut Street intersections.

Councilmember deHaan requested background information be provided.

The Public Works Director stated neighborhood residents requested stop sign installations; the recommendation to authorize modification of two-way stop controls [paragraph no. 07-198] addresses all-way stop installations along Clinton Avenue; the recommendation to authorize installation of two-way stop controls [paragraph nos. 07-198, 07-198A, and 07-198B] address all-way stop installations and some two-way stop installations; residents were concerned about the amount of traffic coming through the neighborhood and pass-through traffic being diverted off major streets onto residential streets; speed and pedestrian safety, specifically, child safety, were concerns; areas addressed in [paragraph no. 07-197] are within a school area; the Clinton Avenue corridor was reviewed and it was recommended that some stop signs be installed to calm traffic; the whole neighborhood was reviewed [paragraph no. 07-198, 07-198A, and 07-198B] to find a way to calm traffic within an area abounded by Broadway, Otis Drive, High Street and Encinal Avenue; stop signs were alternated; said method has been successfully used in other jurisdictions.

Councilmember deHaan inquired whether the areas had prior signals, such as yield signs, to which the Public Works Director responded there were no yield signs at any of the intersections.

Councilmember deHaan stated the neighborhood was reviewed in general; inquired whether adjacent areas would be reviewed systematically or whether resident requests would initiate the review.

The Public Works Director responded resident requests initiate the review; stated a system-wide approach would be used where the same concerns are noted; having a historic grid system is fortunate and allows alternating stops in residential neighborhoods where traffic volumes are low.

Councilmember deHaan inquired whether similar efforts have been made in other areas, to which the Public Works Director responded this is the first effort.

Councilmember deHaan stated that he would encourage staff to continue the efforts; consistency is needed throughout the City; inquired whether the Clinton Avenue warrants justify all-way stops.

The Public Works Director responded no all-way stop warrants were met on Clinton Avenue; stated stop sign orientation would be changed by providing an alternating stop sign pattern at two intersections; Clinton Avenue has a higher traffic volume, which may be because of access to the Hospital.

Councilmember deHaan inquired how existing, parallel streets would be affected.

The Public Works Director responded there would be an alternating pattern; stated all-way stops are at the corners of St. Joseph Elementary School and St. Joseph Notre Dame High School.

Mayor Johnson stated previously Council discussed a Citywide strategic approach; inquired whether it is better to strategically review stops in a specific area rather than Citywide.

The Public Works Director responded issues are being reviewed to comprehensively address where stop signs should go and to determine appropriate locations for traffic calming devices.

Mayor Johnson inquired whether the Fountain Street intersection referenced is near St. Philip Neri Elementary School, to which the Public Works Director responded in the negative.

Mayor Johnson stated said intersection does not have four-way stop signs; Council has stated that the preference is to have four-way stop signs by schools; she recommended that residents contact the Public Works Department regarding the issue.

The Public Works Director stated that he would look into the matter.

Mayor Johnson requested staff to ensure that four-way stop signs are installed at the Fountain Street intersections adjacent to St. Philip Neri Elementary School.

Councilmember deHaan moved approval of the staff recommendations [paragraph no.07-197] and [paragraph no.07-198, 07-198A, and 07-198B].

Councilmember Gilmore seconded the motion, which carried by unanimous voice vote - 4. [Absent: Councilmember Matarrese - 1.]

(07-198) Recommendation to authorize installation of Two-Way Stop Controls at the Versailles Avenue at Washington Street, Clay Street

at Pearl Street, Clay Street at Versailles Avenue, Clay Street at Mound Street, Calhoun Street at College Avenue, Fillmore Street at Mound Street, Bishop Street at Washington Street, Madison Street at Mound Street, Adams Street at Bishop Street, and Fillmore Street at Fountain Street;

(07-198A) Recommendation to authorize modification of Two-Way Stop Controls at the Calhoun Street at Versailles Avenue, Mound Street at Washington Street, Adams Street at Court Street, and San Jose Avenue at Court Street intersections; and

(07-198B) Recommendation to authorize installation of an All-way Stop Control at the Calhoun Street at Mound Street intersection.

[Refer to motion under paragraph no. 07-197.]

(*07-199) Recommendation to authorize Alameda Power and Telecom (AP&T) to sell obsolete and unnecessary personal property in excess of \$10,000. Accepted.

(*07-200) Resolution No. 14085, "Authorizing the City Manager to Submit an Application for Measure B Paratransit Funding for Fiscal Year 2007-2008." Adopted.

(*07-201) Ordinance No. 2965, "Amending Alameda Municipal Code Subsection 23-6.2 (Operation of Power Boats) of Section 23-6 (Harbor and Tidelands) of Chapter XXIII (Parks, Recreation Areas and Public Property) by Repealing Subsection 23-6.2 in Its Entirety and Adding a New Subsection 23-6.2 (Operation of Power Boats) that Incorporates Speed Limits for Vessels Propelled by Machinery in an Estuary or Channel and Continues the Prohibition of Power Boats in Lagoons." Finally passed.

REGULAR AGENDA ITEMS

(07-202) Recommendation to accept the work of S. J. Amoroso Construction Company, Inc. for the construction of the Alameda Free Library - New Main Library Project, No. P.W. 01-03-01.

The Project Manager gave a brief presentation.

Mayor Johnson thanked the Project Manager for the great work; stated Alameda is proud to have built a government building ahead of schedule and under budget in a difficult time.

Councilmember Gilmore added her congratulations; stated the building is very well utilized which is the best judge of success; people are happy to use the Library.

Councilmember deHaan stated another measurement of success is when other municipalities use the Library as a model. The Project Manager stated a lot of municipalities have toured the Library.

Vice Mayor Tam stated that she would like to add her commendations; the Library is a community center; she hopes the theater project follows the same level of success.

Councilmember Gilmore moved approval of the staff recommendation.

Mayor Johnson stated S. J. Amoroso Construction did a great job also; the City is glad to have them working on the theater project.

Vice Mayor Tam seconded the motion, which carried by unanimous voice vote - 4. [Absent: Councilmember Matarrese - 1.]

ORAL COMMUNICATIONS, NON-AGENDA

(07-203) Philip Tribuzio, Alameda, submitted handout, discussed the consequence of global warming.

(07-204) Mike Sheppard, Frank Bette Center for the Arts, submitted handout, stated the arts are not tangential but are core to community development in America; encouraged Council to incorporate the arts in every possible aspect of policy considerations for the future of Alameda.

(07-205) John Olson, Alameda, stated that he would like to start a San Francisco Bay Center for wooden boats; encouraged Council support.

COUNCIL COMMUNICATIONS

(07-206) Mayor Johnson stated that she attended the Northern California Power Agency (NCPA) Conference in Washington, D.C.; four Alameda representatives attended the Conference, which was an effort to advocate for Alameda and the NCPA on power issues.

(07-207) Councilmember Gilmore stated that she attended the Association of Bay Area Governments (ABAG) General Assembly on April 19 in San Francisco; housing and regional priorities were discussed; there was a real focus on green building and green techniques.

(07-208) Mayor Johnson stated that the Planning Board was looking at green building ordinances; requested an update on the matter; stated the Waste Management Authority has green building ordinance

models; Alameda is one of the few cities that has not adopted a green building ordinance.

The City Manager stated the matter is in the process of being analyzed; information will be provided.

Mayor Johnson stated the goal should be to have an ordinance by the end of the year at the latest.

(07-209) Councilmember deHaan stated the former Naval Base sea level is twelve feet; the seawall is approximately six feet and gets broached during heavy storms which is of concern and should be reviewed.

(07-210) Councilmember deHaan stated the San Francisco Maritime Museum was interested in renting space to renovate ships at one time; the matter has been discussed and could continue to be discussed.

(07-211) Councilmember deHaan stated that he is requesting a review from the Planning Board on the discount fuel station Environmental Impact Report (EIR); the matter should dovetail with the Target EIR and be reviewed as a whole; he would like to see the review done at the Planning Board and Transportation Commission level, not Council level; the [gas station] negative declaration accepted by the Planning Board should be reviewed as a whole [with the proposed Target], not as a part.

Mayor Johnson inquired whether Councilmember deHaan was requesting a Call for Review for the negative declaration by the Planning Board, to which Councilmember deHaan responded in the affirmative.

Mayor Johnson stated there is a timeframe for the Call for Review process; a Call for Review has to come to Council within three Council meetings.

Councilmember deHaan stated that he would like to have the matter married with the Target EIR.

Mayor Johnson stated there was another recent Call for Review.

Councilmember deHaan stated that he did that one, but it is more of a discussion.

Mayor Johnson stated it is a Call for Review; inquired when the matter would come to Council.

The City Manager responded May 15; noted there is an Appeal as well which will be on the agenda.

Mayor Johnson stated the [previous] Call for Review is on the Planning Board's decision to establish a committee to discuss Measure A; further stated any Councilmember can request a Call for Review, but needs to be clear about what is being called for review.

Councilmember deHaan stated the other one [formation of a Measure A committee] is really a discussion, not a [Call for] Review because the decision was not a variance or similar type of Planning Board decision.

Mayor Johnson stated it is a Call for Review and has to be handled as a Call for Review; inquired whether or not a Call for Review can be stopped after a request is made; further inquired whether or not the Council is required to take an action after a Call for Review is requested.

The City Manager noted an Appeal has also been filed.

The City Attorney responded a Call for Review generally acts like an Appeal, but is being called up by a Councilmember; in this particular case [formation of a Measure A committee] because an Appeal has also been received that would be heard on the same evening as what would have been a Call for Review, the two processes would be duplicative; the items are going to be placed on an agenda a little differently; there will be the Appeal and possibly a discussion on the policy issue; a Call for Review should come to Council the same as an Appeal, unless withdrawn.

Mayor Johnson stated the matter is procedural and should be placed on an agenda for discussion; the Call for Review and Appeal processes should be clear; inquired whether the "discussion" would be on the Call for Review.

Councilmember deHaan responded that he believes the discussion is on policy.

The City Attorney stated the Call for Review would appear under Council Communications as a review of the overall policy; otherwise there would be an Appeal and Call for Review as back-to-back agenda items or combined [as one item].

Mayor Johnson stated the process should be clear; noted the matter would not be heard if a Call for Review was cancelled due to an

Appeal being filed and then the Appellant dropped the Appeal; further stated both a Call for Review and an Appeal were requested and should be processed as one item; discussion of the process should be placed on an agenda to ensure the process is clear; just because an Appeal has been filed does not mean the Call for Review should be dropped because the Appeal could be dropped and the matter would not move forward.

(07-212) Councilmember Gilmore stated that a resident informed her that the Alameda Town Centre bottle recycling center has been removed; inquired whether Harbor Bay had a recycling center.

Councilmember deHaan responded in the affirmative; stated retailers should be obligated to set up a recycling center if there is a high glass and plastic bottle usage.

Mayor Johnson stated Marina Village used to have a recycling center.

Councilmember deHaan stated the Alameda Towne Center recycling center is not a nice facility but is a necessity.

The City Manager inquired whether information on alternative recycling centers is being requested, to which Councilmember Gilmore responded in the affirmative.

Mayor Johnson stated adequate recycling facilities are needed.

Councilmember Gilmore stated the resident informed her that Harsch Development did not shut down the recycling center; the entity that runs the recycling center was downsizing.

(07-213) Councilmember Gilmore stated Buena Vista Avenue between Constitution Way and Grand Street needs crack sealing.

(07-214) Vice Mayor Tam stated she attended the East Bay Division of the League of California Cities dinner meeting a couple of weeks ago; Lisa Vorderbrueggen, Contra Costa Times Political Reporter, was the key speaker and gave prognostications on some emerging legislation and initiatives.

ADJOURNMENT

There being no further business, Mayor Johnson adjourned the Regular Meeting at 8:30 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -MAY 1, 2007- -6:35 P.M.

Mayor Johnson convened the Special Meeting at 6:40 p.m.

ROLL CALL - Present: Councilmembers deHaan, Gilmore, Tam, and Mayor Johnson - 4.

Absent: Councilmember Matarrese - 1.

The Special Meeting was adjourned to Closed Session to consider:

(07-186) Conference with Labor Negotiators; Agency Negotiators: Craig Jory and Human Resources Director; Employee Organizations: All City Bargaining Units.

Following the Closed Session, the Special Meeting was reconvened and Mayor Johnson announced that Council received a briefing from its Labor Negotiators on the status of negotiations with City Bargaining Units and provided negotiation parameters.

Adjournment

There being no further business, Mayor Johnson adjourned the Special Meeting at 7:30 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.